

*McKENNA, D.J.*

Our Ref: 1615.100

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

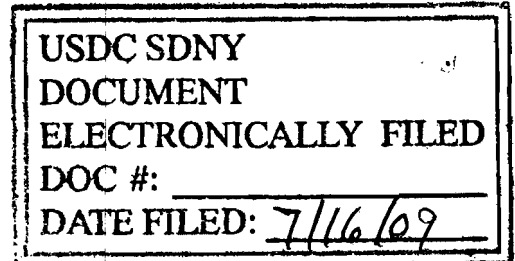
Park B. Smith, Inc.,

Plaintiff,

v.

CHF Industries, Inc.,

Defendant.



Case No. 06CV869 (LMM)(JCF)

**REVISED SCHEDULING ORDER**

McKENNA, D.J.

Revising the *Order to Extend Time* dated May 5, 2009 (modified on May 8, 2009) (Docket No. 78), the following deadlines apply:

1. Plaintiff's Opposition to Defendant's Motion for Summary Judgment for Non-Infringement, or in the Alternative, Invalidity (Docket No. 75), shall be served and filed on October 13, 2009.
2. Defendant's Reply to Plaintiff's Opposition shall be served and filed on November 12, 2009.

Dated: New York, New York

7/16/09

SO ORDERED

LAWRENCE M. McKENNA  
U.S.D.J.

Counsel for Plaintiff, Park B. Smith, Inc.:

Peter J. Phillips (PP7912)  
Donald C. Lucas (DL6675)  
Lucas & Mercanti, LLP  
475 Park Avenue South  
New York, New York 10016  
Tel: (212) 661-8000  
[ppj@lmiplaw.com](mailto:ppj@lmiplaw.com)  
[dcl@lmiplaw.com](mailto:dcl@lmiplaw.com)  
[info@lmiplaw.com](mailto:info@lmiplaw.com)

Counsel for Defendant, CHF Industries, Inc.:

Stephen L. Sulzer (SS1234)  
Todd P. Taylor (TT1234)  
Connolly Bove Lodge & Hutz LLP  
1875 Eye Street, N.W., Suite 1100  
Washington, DC 20006  
(202) 331-7111

A. Joy Arnold (AA4119)  
Sheppard Mullin Richter & Hampton LLP  
30 Rockefeller Plaza  
24<sup>th</sup> Floor  
New York, NY 10112  
(212) 332-5025

**CERTIFICATE OF SERVICE**

I certify that on July 15, 2009, a [Proposed] *Revised Scheduling Order* was electronically filed with:

Clerk of the Court  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10017

On the same date, one copy of the [Proposed] *Revised Scheduling Order* was sent to counsel for Defendant, CHF Industries, Inc.:

**By Hand Delivery**

A. Joy Arnold (AA4119)  
Sheppard Mullin Richter & Hampton LLP  
30 Rockefeller Plaza  
24<sup>th</sup> Floor  
New York, NY 10112  
(212) 332-5025

**Via Federal Express**

Stephen L. Sulzer (SS1234)  
Todd P. Taylor (TT1234)  
Connolly Bove Lodge & Hutz LLP  
1875 Eye Street, N.W., Suite 1100  
Washington, DC 20006  
(202) 331-7111

---

Peter J. Phillips

**CERTIFICATE OF SERVICE**

I certify that on July 15, 2009, a [Proposed] *Revised Scheduling Order* was electronically filed with:

Clerk of the Court  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10017

On the same date, one copy of the [Proposed] *Revised Scheduling Order* was sent to counsel for Defendant, CHF Industries, Inc.:

**By Hand Delivery**

A. Joy Arnold (AA4119)  
Sheppard Mullin Richter & Hampton LLP  
30 Rockefeller Plaza  
24<sup>th</sup> Floor  
New York, NY 10112  
(212) 332-5025

**Via Federal Express**

Stephen L. Sulzer (SS1234)  
Todd P. Taylor (TT1234)  
Connolly Bove Lodge & Hutz LLP  
1875 Eye Street, N.W., Suite 1100  
Washington, DC 20006  
(202) 331-7111



---

Peter J. Phillips